

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: Eight Range Ranch LLC
RR 1 Box 1257
Hardin, MT 59034
2. Type of action: Change Application for Additional Stock Tanks 43Q 30150132
3. Water source name: Developed Spring - Groundwater
4. Location affected by project: Sections 25, 26, 27, and 35, T1N, R20E
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

Statement of Claim 43Q 19912-00 is for a developed spring for stock use located in the SWNWSW Section 25, T1N, R20E, Stillwater County. The Applicant is requesting to add 7 new stock tanks and a pipeline system to this developed spring. The proposed new stock tanks are located in the SWNWNE and NENESE Section 27, the SESENE and SESWSE Section 26, the SESESW and SWNESE Section 25, and the SENESE Section 35, all in T1N, R20E, Stillwater County. No additional flow rate or volume are requested through this change application. The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)
Montana Department of Natural Resources and Conservation
Montana Department of Fish, Wildlife, and Parks
Montana Department of Environmental Quality
Montana Sage Grouse Habitat Conservation Program
Montana Natural Heritage Program
United States Natural Resource Conservation Service
United State Fish and Wildlife Service

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – The source of water is a developed spring that has been historically used for stock purposes. The proposed use will not increase the flow rate or volume of water already appropriated through Statement of Claim 43Q 19912-00 and will have no effect on water quantity.

Determination: No significant impact

Water quality – The source of water is a developed spring historically used for stock watering purposes. The proposed plan for additional stock tanks will not impair the water quality on this source.

Determination: No significant impact

Groundwater – Since the developed spring has historically been used for livestock and the addition of stock tanks will not result in an increased flow or volume of water diverted, there should be no impact to groundwater.

Determination: No significant impact

DIVERSION WORKS - The existing stock watering system for water right 43Q 19912-00 consists of a developed spring located in the SWNWSW Section 25, T1N, R20E, Stillwater County with a flow rate of 35 GPM. A portion of the water is diverted at a rate of 10 GPM by a spring collection box and carried downhill through a pipe to a cistern located in the NESE Section 25, T1N, R20E. Overflow from the cistern serves a stock tank down gradient. The remaining 25 GPM is available for stock use at the spring. The cistern, overflow stock tank, and overflow are located in the NESE Section 25, T1N, R20E. The average flow rate of water diverted by the spring box is 10 GPM based on measurements taken by the Applicant at the final tank overflow when the system was not in use. The Applicant indicates the flow rate of the spring varies seasonally. Any overflow from the cistern and overflow tank is returned to the spring. Water collected at the cistern will be pumped through pipeline to six 20 ft x 7 ft rectangular fiberglass stock tanks. The system was designed by the NRCS to provide adequate operation and water supply to the additional tanks. The system is controlled by a timer with independent hydrants and a float shut-off for each tank. The addition of the pipeline and 7 stock tanks to the existing diversion works is not likely to cause any significant impact.

Determination: No significant impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – According to the Montana Natural Heritage Program, there are 6 animal species of concern in the proposed project area. Animal species of concern include Hoary Bat, Little Brown Myotis, Golden Eagle, Greater Sage-Grouse, Long-billed Curlew, and McCown's Longspur. There are no plant species of concern listed by the Montana Natural Heritage Program. According to the Montana Sage Grouse Habitat Conservation Map, this project is within general sage grouse habitat. The project is consistent with the Montana Sage Grouse Conservation Strategy according to a letter from Carolyn Sime, Project Manager, dated September 25, 2020. The proposed project is consistent with the current range and agricultural

use of land in the area and is not likely to impact threatened or endangered species or create barriers to migration or movement of fish or wildlife.

Determination: No significant impact

Wetlands – There are no wetlands in the proposed project area.

Determination: No impact

Ponds – There are no ponds associated with the proposed project.

Determination: No impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – According to the USDA Natural Resources Conservation Service, the predominant soil types in the project area are Yawdim-Lambeth Rock outcrop association, steep, Tanna-Rentsac complex, 4 to 15 percent slopes, Tanna clay loam, 2 to 8 percent slopes, and Lonna silt loam, 2 to 8 percent slopes. The addition of stock tanks on these soils is unlikely to cause any impact on soil quality or stability.

Determination: No significant impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – Existing vegetative cover in the area is rangeland. The addition of stock tanks will improve range management and prevent overgrazing. The installation of pipelines and tanks may contribute to the establishment and spread of noxious weeds. It is the responsibility of the property owner to monitor for and implement measures for noxious weed control.

Determination: No significant impact

AIR QUALITY – The use of water from a developed spring for stock purposes will not impact air quality.

Determination: No impact

HISTORICAL AND ARCHEOLOGICAL SITES – NA-project not located on State or Federal Lands.

Determination: Not applicable

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - No additional demands on environmental resources are recognized.

Determination: No impact

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| HUMAN ENVIRONMENT |
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LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS – There are no known locally adopted environmental plans or goals.

Determination: Not applicable

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – The proposed project is located on privately owned agricultural land. The project will not impact access to recreational or wilderness activities.

Determination: No impact

HUMAN HEALTH – No impacts to human health have been identified for the proposed irrigation project.

Determination: No impact

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes___ No_x__ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? No significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (c) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact
- (g) Industrial and commercial activity? No significant impact
- (h) Utilities? No significant impact
- (i) Transportation? No significant impact
- (j) Safety? No significant impact

(k) Other appropriate social and economic circumstances? No significant impact

2. ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: No secondary impacts are recognized

Cumulative Impacts: No cumulative impacts are recognized

3. ***Describe any mitigation/stipulation measures:*** None

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The alternative to the proposed project is the no action alternative. The no action alternative prevents the property owner from improving range management practices to reduce overgrazing. The no action alternative does not prevent or mitigate any significant environmental impacts.

PART III. Conclusion

1. ***Preferred Alternative:*** Issue the change authorization if the applicant proves the criteria in 85-2-402 MCA are met.

2 ***Comments and Responses:*** None

3. ***Finding:***

Yes__ No_x_ Based on the significance criteria evaluated in this EA, is an EIS required?

There are no significant impacts associated with the project so an environmental assessment is the appropriate level of analysis.

Name of person(s) responsible for preparation of EA:

Name: Jill Lippard

Title: Water Resource Specialist

Date: 02/09/2021